

House Amendment 2071

PAG LIN

1 1 Amend the amendment, H=2025, to Senate File 601, as
1 2 amended, passed, and reprinted by the Senate, as
1 3 follows:

1 4 #1. Page 3, by inserting after line 1 the
1 5 following:

1 6 <Sec. _____. Section 137C.28, Code 2007, is amended
1 7 to read as follows:

1 8 137C.28 PENALTY.

1 9 1. A person who violates a provision of the Iowa
~~1 10 hotel sanitation code this chapter or rules adopted~~
1 11 pursuant to this chapter shall be guilty of a simple
1 12 misdemeanor and subject to a civil penalty of one
1 13 hundred dollars for each violation. Each day upon
1 14 which a violation occurs constitutes a separate
1 15 violation.

1 16 2. A person who is issued a violation as a result
1 17 of an inspection, a reinspection or a complaint
1 18 inspection shall be subject to a civil penalty ranging
1 19 from fifty dollars to one thousand dollars for each
1 20 violation based on criteria established by rule of the
1 21 department.

1 22 3. A penalty may be issued by either the
1 23 department or by a municipal corporation under
1 24 agreement with the department pursuant to section
1 25 137C.6.

1 26 4. Penalties collected by the department shall be
1 27 deposited in the general fund of the state. Penalties
1 28 collected by a municipal corporation shall be retained
1 29 by the municipal corporation for use in regulation of
1 30 entities licensed under this chapter.>

1 31 #2. Page 3, by inserting after line 13 the
1 32 following:

1 33 <Sec. _____. Section 137D.3, Code 2007, is amended
1 34 to read as follows:

1 35 137D.3 PENALTY.

1 36 1. A person who violates a provision of this
1 37 chapter, including a standard adopted by departmental
~~1 38 rule, or rules adopted pursuant to this chapter~~
1 39 relating to home food establishments or prepared foods
1 40 created in a home food establishment, is guilty of a
1 41 simple misdemeanor and subject to a civil penalty of
1 42 one hundred dollars for each violation. Each day that
1 43 the violation continues constitutes a separate
1 44 offense.

1 45 2. A person who is issued a violation as a result
1 46 of an inspection, a reinspection, or a complaint
1 47 inspection shall be subject to a civil penalty ranging
1 48 from fifty dollars to five hundred dollars for each
1 49 violation based on criteria established by rule of the
1 50 department.

2 1 3. A penalty may be issued by either the
2 2 department or by a municipal corporation under
2 3 agreement with the department.

2 4 4. Penalties collected by the department shall be
2 5 deposited in the general fund of the state. Penalties
2 6 collected by a municipal corporation shall be retained
2 7 by the municipal corporation for use in regulation of
2 8 entities licensed under this chapter.>

2 9 #3. Page 11, by inserting after line 50 the
2 10 following:

2 11 <Sec. _____. Section 137F.17, Code 2007, is amended
2 12 to read as follows:

2 13 137F.17 PENALTY.

2 14 1. A person who violates this chapter or rules
2 15 adopted pursuant to this chapter shall be subject to a
2 16 civil penalty of one hundred dollars for each
2 17 violation. Each day upon which a violation occurs
2 18 constitutes a separate violation.

2 19 2. A person who is issued a violation as a result
2 20 of an inspection, a reinspection, or a complaint
2 21 inspection that is considered a critical or swing
2 22 violation shall be subject to a civil penalty ranging
2 23 between fifty dollars and one thousand dollars for
2 24 each violation based on criteria established by rule

2 25 of the department.
2 26 3. A penalty may be issued by either the
2 27 department or by a municipal corporation under
2 28 agreement with the department pursuant to section
2 29 137F.3.
2 30 4. Penalties collected by the department shall be
2 31 deposited in the general fund of the state. Penalties
2 32 collected by a municipal corporation shall be retained
2 33 by the municipal corporation for use in regulation of
2 34 entities licensed under this chapter.>
2 35
2 36
2 37
2 38 FORD of Polk
2 39 SF 601.526 82
2 40 mg/je/10038